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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,084	11/26/2003	Koji Iwasawa	03327.2315	7790
22852	7590	09/23/2005	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			LAU, TUNG S	
			ART UNIT	PAPER NUMBER
			2863	

DATE MAILED: 09/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/721,084

Applicant(s)

IWASAWA, KOJI

Examiner

Tung S. Lau

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

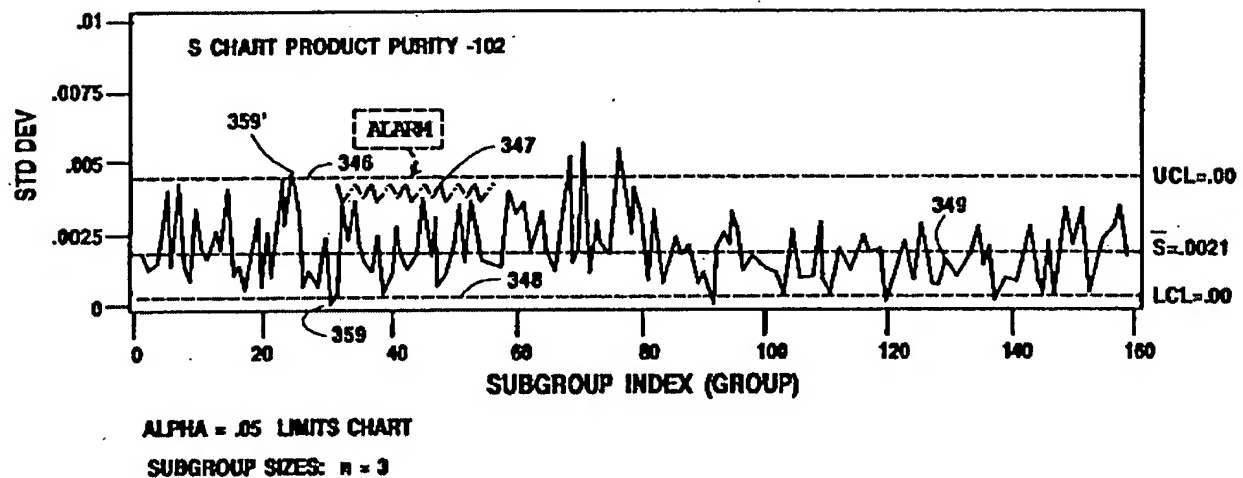
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 18, 19, 20, 11, 12, 13, 14, 15, 16 and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by Hanson (U.S. Patent 5,257,206).

Regarding claim 1:

Hanson discloses an alarm management method comprising: providing one or more type of weight coefficients for each alarm generated by an apparatus to be managed (Col. 2, Lines 5-43, fig. 1, unit 335, 310); multiplying the weight coefficient types to obtain the total weight coefficient for each alarm (Col. 11, Lines 4-30); multiplying by the total weight coefficient, a '1' which represents a case count for one generation of each alarm, and obtaining a weighted case count for each alarm (Col. 10-11, Lines 48-30, Col. 12, Lines 18-67); adding the weighted case counts for individual alarms to prepare statistics for the weighted number of alarm generation cases (Col. 5-6, Lines 56-33, Col. 10-11, Lines 48-30).

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Fig. 6

Regarding claim 6:

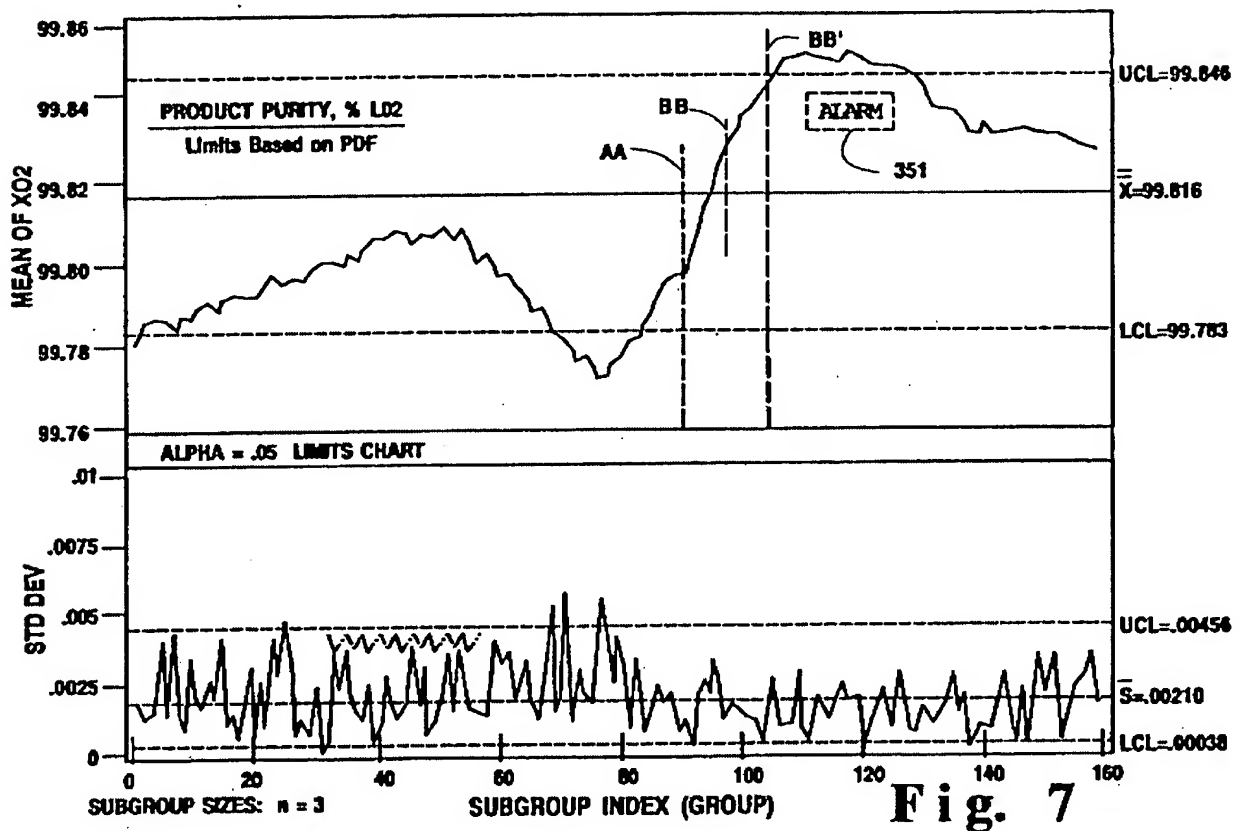
Hanson discloses an alarm management method comprising: correlating each alarm generated by an apparatus to be managed and apparatus data representing the status of the apparatus by employing a date and time wherein the alarm was generated as a key (Col. 5-6, Lines 56-34); preparing a trend graph for predetermined apparatus data included in the apparatus data obtained from the apparatus to be managed (fig. 4,5, 6, 7, 8, 9); and displaying on the trend graph a date and time whereat a predesignated alarm was generated based on the correlation (fig. 6, 7).

Regarding claim 7:

Hanson discloses an alarm management method comprising: preparing statistics only for alarms that were generated by an apparatus to be managed when predetermined apparatus data included in the apparatus data that are obtained

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from the apparatus data that represent the status of the apparatus, have a predeesignated value or are within a predesignated range (fig. 6, 7).



Regarding claim 11:

Hanson discloses an alarm, management apparatus comprising: a data collection device for collecting alarm data for alarms generated by an apparatus to be managed (abstract); a database device for storing the alarm data collected by the data collection device (fig. 6, 7); and an alarm statistic device for preparing alarm statistics using the alarm data stored by the database device (fig. 6, 7), the alarm statistic device including, a weight coefficient provision unit for providing one or more types of weight coefficient for each alarm (Col. 10-11, Lines 48-25,

Col. 12, Lines 3-65), a total weight coefficient calculation unit for multiplying the weight coefficients for each alarm to obtain a total weight coefficient, a weighted case count calculation unit for multiplying by the total weight coefficient (Col. 10-11, Lines 48-25, Col. 12, Lines 3-65), a '1' that represents a case count for one generation of each alarm, and for obtaining a weighted case count for each alarm, and a statistics preparation unit for adding weighted case counts for individual alarms to obtain statistics for the weighted number of alarm generation cases (Col. 10-11, Lines 48-25, Col. 12, Lines 3-65, fig. 6, 7)).

Regarding claim 16:

Hanson discloses an alarm management apparatus comprising: a data collection device for collecting alarm data for alarms generated by are apparatus to be managed (abstract); a database device for storing the alarm data collected by the data collection device (Col. 2, Lines 5-50) ; and an alarm statistic device for preparing alarm statistics using the alarm data stored by the database device (fig. 6, 7), the alarm statistic device including, a linking unit for employing , as a key (Col. 5-6, Lines 56-34), a date and a time whereat an alarm was generated and for correlating each al arm generated by the apparatus with apparatus data representing the status of the apparatus (Col. 1-2, Lines 65-2, fig. 6, 7) ; a trend graph preparation unit for preparing a trend graph for predetermined apparatus data included in the apparatus data (fig. 6-7), and a display unit for displaying the trend graph prepared by the trend graph preparation unit (fig. 1a, unit 240), and for, based on the correlation, displaying on the trend graph a date and time

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whereat a predesignated alarm was generated (Col. 1-2, Lines 57-2, fig. 6, 7, 15, 11).

Regarding claim 17:

Hanson discloses an alarm management apparatus comprising: a data collection device for collecting alarm data for alarms generated by an apparatus to be managed (Col. 2, Lines 2-42); a database device for storing the alarm data collected by the data collection device (fig. 2, unit 140), 150); and an alarm statistic device for preparing alarm statistics using the alarm data stored by the database device (fig. 2, unit 245), the alarm statistic device including, a filtering unit for extracting, as statistical targets, only alarms that were generated by the apparatus when predetermined apparatus data (fig. 6, 7), included in apparatus data, had a predesignated value or was within a predealgneted range, a statistics preparation unit for preparing statistics for the alarms extracted by the filtering unit (fig. 6, 7, Col. 9, Lines 39-54, Col. 10-11, Lines 49-30).

Regarding claim 2, Hanson discloses wherein the one or more weight coefficient types include a weight coefficient designated by a user as an inherent value for each alarm type (Col. 9-10, Lines 55-16, fig. 6, 7); Regarding claim 3, Hanson discloses one or more weight coefficient type' include a weight coefficient designated by a user for each time an alarm is generated (fig. 6, 7); Regarding claim 4, Hanson discloses one or more weight coefficient types include a weight coefficient that is automatically determined based on a predetermined rule (fig. 6, 7); claim 5, Hanson discloses the automatically determined weight coefficient is

determined in accordance with a period extending from the generation, in the apparatus, of a specific alarm to be managed until the specific alarm is canceled (fig. 6, unit 348, fig. 7, unit 351);

claim 12, Hanson discloses a weight coefficient setup unit for setting up, as one of the weight coefficients, a unique weight coefficient for each alarm type (Col. 2, Lines 5-43, fig. 7, unit 351); claim 13, Hanson discloses a weight coefficient setup unit for setting up, as one of the weight coefficients, a weight coefficient for each time an alarm is generated (Col. 2, Lines 5-43, fig. 7, unit 351); claim 14, Hanson discloses based on predetermined rule one of the weight coefficients (fig. 2, unit 140, 160, fig. 3, unit 320, 340, 160, 330, 345); claim 15, Hanson discloses a weight coefficient in accordance with period from extending of a specific alarm to cancel of alarm (fig. 2, unit 140, 160, fig. 3, unit 320, 340, 160, 330, 345, fig. 7, unit 351); claims 8, 9, 10, 18, 19 and 20, Hanson discloses an alarm ID to identify the alarm (fig. 6, unit 346, 347).

Response to Arguments

2. Applicant's arguments filed 09/08/2005 have been fully considered but they are not persuasive.

A. Applicant argues in the arguments that the prior art does not show all the limitation in claim 1.

In claim 1, Hanson discloses an alarm management method comprising: providing one or more type of weight coefficients for each alarm generated by an apparatus to be managed (Col. 2, Lines 5-43, fig. 1, unit 335, 310), here Hanson

talks about each data collected with variable data value for each respective process, based on this process a statistical process is derived. The examiner reminds to the applicants that during patent examination, the pending claims must be "given the broadest reasonable interpretation consistent with the specification." Applicant always has the opportunity to amend the claims during prosecution, and broad interpretation by the examiner reduces the possibility that the claim, once issued, will be interpreted more broadly than is justified. In re. Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-51 (CCPA 1969). While the meaning of claims of issued patents are interpreted in light of the specification, prosecution history, prior art and other claims, this is not the mode of claim interpretation to be applied during examination. During examination, the claims must be interpreted as broadly as their terms reasonably allowed. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). The teaching of Col. 2, Lines 5-43 can be construct for ordinary skill in the art at the time of the invention was made as 'providing one or more type of weight coefficients for each alarm generated by an apparatus to be managed'.

As regards to 'multiplying the weight coefficient types to obtain the total weight coefficient for each alarm' (Col. 11, Lines 4-30), Hanson shows the 'total weight coefficient for each alarm' is inherently multiple by it own representation. As regards to multiplying by the total weight coefficient, a '1' which represents a

case count for one generation of each alarm, and obtaining a weighted case count for each alarm' (Col. 10-11, Lines 48-30, Col. 12, Lines 18-67), again Hanson discloses here each of the claim limitation. Ordinary skill in the art at the time of the invention was made to know that any factor is based multiple by '1' to itself as shown in Hanson invention of Col. 10-11, Lines 48-30, Col. 12, Lines 18-67.

As regards to 'adding the weighted case counts for individual alarms to prepare statistics for the weighted number of alarm generation cases' (Col. 5-6, Lines 56-33, Col. 10-11, Lines 48-30), Hanson discloses the limitation as noted in Col. 5-6, Lines 56-33, Col. 10-11, Lines 48-30 where each factor statistics weighted resulted best also shown in fig. 5-8.

B. Applicant continues to argue arguments that the prior art does not show the 'alarm generated by an apparatus to be managed and apparatus data representing the status of the apparatus by employing a data and time wherein the alarm was generated as a key'. Hanson discloses 'alarm generated by an apparatus to be managed and apparatus data representing the status of the apparatus by employing a data and time wherein the alarm was generated as a key' in fig. 4, 5, 6, 7, 8, 9, 11, 15 as well as in Col. 2, Lines 5-43, here Hanson discloses using thresholds including trend alarm thresholds so that the computer can indicate whether or not there is statistical evidence of non-random behavior such as a trend or a shift in the real time measured process variable data.

Ordinary skill in the art at the time of the invention was made can construct this as 'alarm generated by an apparatus to be managed and apparatus data representing the status of the apparatus by employing a data and time wherein the alarm was generated as a key'.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tung S Lau whose telephone number is 571-272-2274. The examiner can normally be reached on M-F 9-5:30. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone numbers for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TL

A handwritten signature in black ink, appearing to read "Michael Nghiem", with a stylized flourish at the end.

MICHAEL NGHIEM
PRIMARY EXAMINER